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AUTHOR Fowler, Frances C.
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ABSTRACT

Those aspects of the French educational policy pertinent to the controlled choice issue in the United States are examined in this paper. A purpose is to overcome both the theoretical and empirical weaknesses of the controlled choice literature. First, arguments for the regulation of choice policies are related to the "neo-pluralistic" political theory. Concepts from this tradition are then used to evaluate a French school choice program that has been in effect for over 30 years, concluding with a discussion of the implications for American policy. Methodology was based on document analysis of French primary sources, supplemented by interviews with 16 French policy actors. Research questions centered on policy structure; mechanisms used to address problems of equality, civic consciousness, the public agenda, and alienation of control; and policy success. A conclusion is that, despite cultural differences such as the academic rigor of French public schools, controlled choice plans can work. Recommendations include: (1) improve all schools to deemphasize the choice issue; (2) explore alternatives to the choice plans currently under consideration in the United States, which risk alienation of final control and distortion of the public agenda; and (3) build data-gathering and cost monitoring procedures into school choice policy legislation. (54 references) (LMI)

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FRENCH PRIVATE SCHOOL AID POLICY, 1959-1985: AN EXAMPLE OF A CONTROLLED CHOICE PROGRAM

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by

Frances C. Fowler
Miami Universiy
Oxford, Ohio 45056

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During the past decade, school choice proposals have taken the United States by storm. Such proposals are hardly new. After circulating in the scholarly community for twenty years, the concept gained the support of the Reagan administration in the early 1980s (Anthony, 1987; Coons & Sugarman, 1978; Friedman, 1962; Jencks, 1972). Republican leaders initially called for policies in support of the choice of private schools but later redefined the issue as choice within the public sector. In 1986, the report of the National Governors' Association recommended the adoption of public school choice programs (Cibulka, 1990). By the late 1980s some twenty states had mandated public school choice or were seriously considering it (Bastian, 1990). In early 1991, top Republicans were arguing once more to include private schools in choice plans (Olson, 1991).

School choice policies can take many forms. They can be limited to the public sector, or they can include both public and private schools. Within public education they can be restricted to alternatives within a single district; they can cross district lines; they can even cross the frontier between K-12 and higher education (Raywid, 1985). Regardless of their scope, they can be relatively unregulated or carefully controlled (Murnane, 1985).

This paper will focus on this last dimension of the choice issue. The question is an important one. Some supporters of school choice urge loosely regulated plans which will unleash market forces to improve education (Chubb & Moe, 1990; Finn, 1990; Friedman, 1962; West, 1982). Other supporters recommend

careful regulation to avoid negative side-effects (Clinchy, 1989; Coons & Sugarman, 1978; Jencks, 1972; Odden, 1990; Rossell & Glenn, 1988; Uchitelle, 1989). A third group of scholars is skeptical about school choice proposals but argues that, if they are implemented, they must be carefully controlled (Bastian, 1990; Levin, 1983; McDonnell, 1989; Moore & Davenport, 1990; Murnane, 1985; Pearson, 1989).

The American debate about the regulation of school choice reveals two major weaknesses. The first is theoretical. Arguments for relatively unregulated choice policies are rooted in the theoretical tradition of classical liberalism and its modern relatives, neo-conservatism and rational choice theory (Cooper, 1988; Friedman, 1962). Indeed, Terry Moe, co-author of Politics, markets & America's schools (1990), is known in political science circles as a "peripheral member of the rational choice school" (Almond, 1990, p. 127). In contrast, those who question unregulated choice plans draw on no well defined political theory.

The second weakness is empirical. Since Americans have never used choice programs on a wide scale, few facts are available to support anyone's arguments. As a result, some Americans have written about choice programs in other nations (Levy, 1985). Most of this research, however, has not been based on systematic inquiry. Moreover, it has focused on other English-speaking countries, largely overlooking experience on the European continent.[1] It is especially unfortunate that the French experience is not better known in the United States. Like this country,

France is large, has a heterogeneous population, and practices separation of church and state. The two countries also share the dubious distinction of having the greatest economic inequalities among Western democracies (Phillips, 1990).

The purpose of this paper is to contribute to overcoming both the theoretical and the empirical weaknesses of the controlled choice literature. First, arguments for the regulation of choice policies will be related to the political theory which Manley (1983) calls "neo-pluralism." This theory has been selected both because it reflects the concerns of American advocates of controlled choice and also because it is consistent with the French rationale for regulation of their choice program. Next, concepts drawn from this tradition will be used to evaluate a French school choice program which has been in effect for more than thirty years. The paper will conclude with a discussion of the implications of the findings for American policy.

THEORETICAL FRAMEWORK

The discussion which follows will develop the major outlines of neo-pluralist theory by contrasting it with neo-conservatism. Such a contrast is appropriate for two reasons. Most readers are probably more familiar with neo-conservatism than with neo-pluralism, so a contrast will clarify the latter theory. In addition, neo-pluralist theorists themselves explain their theory by contrasting it with neo-conservatism (Dahl, 1982; Lindblom, 1977).[2] The discussion of neo-conservatism will be based on the works of several writers who have specifically addressed the

question of school choice. The discussion of neo-pluralism will be based on several works which Yale political scientists Robert Dahl and Charles Lindblom have produced since 1976. These are the works which, according to Manley (1983), most clearly represent neo-pluralist political theory.

Neo-conservative theory. The Reagan and Bush Administrations, American business leaders, and other conservative spokesmen base their arguments for relatively unregulated school choice programs on the assumptions of neo-conservatism, a political theory derived from classical liberalism. Neo-conservatives use economic concepts to describe social reality; for them the basic unit of society is the autonomous individual. As Friedman (1962, p. 5) puts it, "the individual is the ultimate entity in society." Since individuals make choices on the basis of rational criteria, they should be as free as possible to choose. Again, Friedman (1962, p. 5) asserts that "freedom [is] the ultimate goal." Fortunately for society the aggregated choices of many individuals lead to a positive outcome for all. According to Finn (1990, p. 17), "the sum of a great many choices is. . .equal to the best interests of the community as a whole."

Reasoning from these assumptions, neo-conservatives view government negatively. Friedman (1962) describes the political process as "cumbrous," while Cooper (1988, p. 285) writes of a "gut-level fear of government control." They agree with Finn (1990) that government regulation of all education should be "minimal." Not only is government suspect; so is bureaucracy.

For example, Chubb and Moe (1990, p. 199) assert that "educational theory and research clearly suggest that bureaucracy is bad." West (1982) argues that because public schools are bureaucratic monopolies they are necessarily inefficient.

Although government and bureaucracy are inefficient, the market provides a viable alternative for delivering goods and services. Markets function according to the "natural dynamics of competition and choice" (Chubb & Moe, 1990, p. 190), encouraging efficiency since they weed out incompetents through a process of natural selection. Because neo-conservatives distrust government and have confidence in markets, they advocate school choice systems with minimal regulations. As they see it, parents are capable of making major educational decisions because "in general a parent will try to make a rational decision about the welfare of his or her child" (Finn, 1990, p. 11). Therefore, the establishment of an educational market in which parents freely choose schools will stimulate competition, improving educational quality. Education may also cost less (West, 1982). Since school choice will reduce governmental power, it will advance democracy, defined as "minimal coercion by the state" (Finn, 1990, p. 4).

Neo-pluralist theory. In sharp contrast to neo-conservatives, neo-pluralists use political concepts to define social reality. Individuals exist and are important; but, in addition to being individuals, they are citizens. It is revealing that in the index to Dahl's Dilemmas of Pluralist Democracy (1982), the entry "Individuals" is immediately followed by "see Citizens" (p. 224).

For neo-pluralists freedom is primarily political freedom.

Nor is freedom the only democratic value. A democratic political order depends not only upon freedom, but also upon a rough degree of equality between citizens, a sense of brotherhood which promotes concern for the polity as a whole, and popular participation in political processes (Dahl, 1977; 1979; 1982; Lindblom, 1977; 1982; 1990).

However, citizens do not participate in political processes primarily as isolated individuals but rather as members of groups (Dahl, 1982; Lindblom, 1977). Most modern societies are split by "lines of cleavage" which divide the population into social aggregates (Dahl, 1982). These groupings include social classes, racial and ethnic groups, and groups based on such characteristics as language, religion, and occupation. In the political process, these groups compete for influence over the state. If they possessed equal resources, a democratic government could allow them to compete freely (Dahl, 1982). In reality they do not have equal resources. For historical and other reasons, such political resources as wealth, social standing, and education are unequally distributed. Thus a free competition would permit already advantaged groups to gain political power at the expense of less advantaged groups, threatening the integrity of the democratic order itself. According to Dahl (1982), all democratic nations face the same dilemma--finding the right balance between freedom and control for groups within their borders.

Not surprisingly, neo-pluralists have less confidence in

market systems than do neo-conservatives. While they criticize bureaucracy, they also point out the weaknesses of markets (Dahl, 1985; Lindblom, 1977). The principle of exchange, upon which the market is based, "depends in large part on what [one] owns and can offer in exchange" (Lindblom, 1977, pp. 45-46). Those who lack economic and other resources have little to exchange; for them the market is not truly "free."

Neo-pluralists also question the assumption that people usually behave rationally. Communication failures and information overloads are all too likely. Government propaganda, commercial advertising, and the entertainment media often present false versions of social reality. The major institutions of socialization--the family, the school, and the church--frequently encourage docility rather than intellectual probing (Dahl, 1977; 1979; Lindblom, 1977; 1982, 1990). In Inquiry and change (1990), Lindblom argues that everyone is impaired, but that "impairment" tends to be especially severe among disadvantaged groups.

Given this situation, the best that a democratic government can do is to balance freedom and control.[3] It should simultaneously try to provide enough freedom to encourage creative activity while regulating social groups so that they do not threaten the other democractic values.

Neo-pluralists do not specifically address the school choice issue, but their theory suggests that they would take the following position. Education is a major political resource, for there is a strong positive relationship between educational level

and political participation. The inherent danger in a loosely regulated choice plan such as Chubb and Moe's is that wealthy and highly educated parents could use their economic resources, knowledge, and influence to obtain educational advantages for their offspring. At the same time, poorer, less well educated parents would be handicapped in competing for good educational placements for their children.

An application of the theory developed in Dahl's Dilemmas of pluralist democracy (1982) suggests that an unregulated choice plan would present four major risks. First, it might stabilize and reinforce already existing inequalities between groups. Second, it might "deform civic consciousness" (Dahl, 1982, p.43) by encouraging competing groups to emphasize their own needs while losing sight of the needs of the polity as a whole. Third, it might distort the public agenda since some groups might become so influential that they could direct government attention toward their own educational preferences and away from the preferences of others. Finally, it might alienate final control. Some groups might become so powerful that they could exercise a degree of influence over educational policy which legitimately belongs only to the government.

This does not mean that neo-pluralists would necessarily support the educational status quo. Indeed, Lindblom (1990) severely indicts public education. It does mean, however, that they would urge careful regulation of school choice plans in order to minimize the risks outlined above.

RESEARCH QUESTIONS AND METHODOLOGY

Neo-pluralist political theory suggests the following three questions about the school choice system which the French introduced with the Debré Act in 1959:

1. What is the general structure of the French school choice policy?
2. With what policy mechanisms did the French seek to address the problems of equality, civic consciousness, the public agenda, and alienation of control?
3. How successfully have those mechanisms functioned?

In order to answer these questions, the researcher reanalyzed the data from an earlier study of French private school aid policy between 1959, when the Debré Act was passed, and 1985, when the Chevènement Act amended the policy. The original study was a longitudinal policy analysis, using Dahl's (1982) Dilemmas of pluralist democracy as its theoretical framework. The present study involves a narrowing of the subject in order to focus on those aspects of the French policy issue which resemble the controlled choice question in the United States.

The major research methodology in both studies was documentary analysis, using French primary source materials. Documents for possible use were selected according to the criteria for historical inquiry. They had to be materials produced by French nationals between 1959 and 1985 and had to have been written close to the time of the events. From this population of documents, a manageable sample was selected, using two criteria. The

sample had to represent different classes of data and a range of political opinions. One major source selected was Journal Officiel, published by the French Parliament. From it, five parliamentary debates and all the private school legislation passed between 1959 and 1985 were selected. Other sources included two Paris newspapers of different political orientations and several statistical, economic, and demographic reports. Finally, fourteen scholarly books and fifty-seven scholarly articles were chosen for analysis.

In the first stage of the original analysis, the researcher reduced the data by summarizing them in French and in English. In the second stage, she studied different classes of data in different ways. She analyzed the legislation, using a content analysis form based on the literature review. She analyzed the other sources thematically, using a competing values model. While conducting these analyses, she developed a chronology of the period to use in interpreting the data. The reduced data were re-analyzed using Dahl's (1982) four "risks" in order to answer the questions for this study.

Elite interviewing supplemented the major methodology. In May and June 1989, the researcher interviewed sixteen French policy actors in Paris, using a semi-structured interview guide in French. The interviewees represented thirteen organizations involved in policy development and included spokespersons of both private and public school groups. All were high level leaders in their respective organizations; for example, one was a member of

the French parliament and another was a monsignor of the Roman Catholic Church. The researcher took notes during each interview and expanded them within twenty-four hours. The expanded notes were re-analyzed for this study.

FINDINGS

The general structure of French choice policy. The Debré Act, promulgated in 1959, established four options for French private education. Private schools could choose to retain the status quo; in that case, they would receive no government funding and would remain free of government regulation. Second, they could sign a "simple contract" with the government. Under the simple contract, they would offer non-sectarian "public instruction" in some or all of their classes; the government would pay the salaries of the teachers who offered such instruction. In return, the schools would be moderately regulated by the government. A third choice was the "contract of association." Under it, the government paid the salaries of teachers who offered public instruction, as under the simple contracts. However, it also paid fixed charges and operating costs. Schools which made this choice would be heavily regulated. Finally, private schools could choose to become part of the public system. By the mid-1960s, almost all French private schools--which were largely Roman Catholic--had signed government contracts.

In essence, this policy transformed most French "private" education into a quasi-public educational sector.[4] Legally, subsidized "private" education became a "private service useful

to the general public" (Tanguy, 1972, p. 337).[5] The change was more than a purely legal one. As early as 1969, some Catholic teachers were describing their establishments as "Christian public schools" (L'École catholique demain, 1969). Twenty years later, in their interviews with this researcher, several private school leaders echoed similar views. For example, one stated: "Previously, private schools were schools of the Church; with financial aid from the government they became national schools with a Christian educational plan." Another simply admitted, "We are part of the Ministry of National Education."

Although the Debré Act was not originally passed in order to provide families with school choice, by the early 1970s many politicians supported the policy primarily for that reason (Journal Officiel de l'Assemblée Nationale: Débats, 1971 [JOD]). Opinion polls carried out in the 1970s and 1980s consistently revealed that this educational option was popular with the public (Savary, 1985). The Mitterrand Administration's attempt to reform the policy in the early 1980s provoked opposition from millions of citizens who believed that they were about to lose the right to choose their children's schools (Leclerc, 1985). Thus, the Debré Act transformed most of French private education into a carefully regulated quasi-public education sector which provided parents with a measure of school choice. It can be said that the policy serves many of the educational and political purposes which controlled public school choice plans in the United States serve.

Issues relating to equality. Neo-pluralists agree with those political theorists who argue that in capitalist democracies freedom and equality are in tension with one another. Unchecked freedom would permit privileged social groups to exploit their superior resources in order to improve their already privileged status. Therefore, democratic governments tend to place some restrictions on freedom in order to protect equality. American proponents of controlled school choice plans base their position on similar reasoning. Fearing that an unregulated policy would lead to the concentration of white and middle class children in a few "select" schools, they advocate careful regulation of school choice in the name of equality.

It was somewhat surprising, then, to discover that equality has never been a major issue in the French debate over school choice. The explanation is certainly not that French society is egalitarian. As indicated above, France and the United States lead industrialized democracies in economic inequality (Phillips, 1990). Nor is France ethnically homogeneous. With the United States and Canada, it has historically been one of the major receivers of immigration in the Western world. Currently, 12% of French school children are foreign--many of them African (Zeldin, 1983). Rather, the explanation seems to be that private education is not an important political resource in France. The French consider public schools academically superior to private ones, a view which is supported by years of test scores on national examinations (Institut National de la Statistique et des

Études Économiques [INSEE], 1960-1985). As a result, the most prestigious secondary schools in the country are public, not private. French parents who choose private education do so in order to provide their offspring with a traditional environment, individualized attention, or religious instruction (Savary, 1985). They do not choose it in order to improve their life chances.

Even so, the French did consider one equality issue in developing their school choice policy. The French Constitution states: "The Nation guarantees children and adults equal access to education. . . " (Éducation et décentralisation, n.d., p. 5). Therefore, when Parliament debated the proposed policy in 1959, it explicitly discussed the necessity of guaranteeing children of all religions and social classes equal access to subsidized private schools (JOD, 1959, pp. 3595-3649). This concern led to the inclusion of the following sentence in the Debré Act: "All children, without distinction of origin, opinion, or belief, must have access to [subsidized private schools]" (Journal Officiel: Lois et Décrets, 1960, p. 66 [JOL]). However, private schools are allowed to charge fees to cover capital outlay and administrators' salaries, expenses which are not subsidized by the government. Thus, only those children whose parents can afford to pay such costs can attend private schools. Fees vary considerably. For example, in 1983 secondary day student charges ranged from 600 to 2400 francs per quarter, or from about $100 to $400 ("Sachez comment choisir une école privée", 1983).

French private education has always had a somewhat elitist character; the socioeconomic status of its average student has traditionally been higher than the socioeconomic status of the average public school student. Under the Debré Act it has not lost this elitist tinge. Neither has it become more elitist, however. In their interviews, representatives of private education made it clear that the fact that families in modest circumstances can still choose private education has been one of the major accomplishments of the Debré Act. For example, one woman contrasted French private schools with British ones, which she considered elitist. Another Catholic administrator said:

> We can't imagine a private school system for rich children and a public school system for poor ones. Private education is for everyone. I say--subsidies, yes. But to provide a service to the nation. I could even use the word "equality" and also--why not?--"brotherhood".

Issues relating to civic consciousness. Neo-pluralists hold that some degree of civic consciousness--the ability to put the interests of society above the interests of one's self or one's group--is a prerequisite for democratic government. There is always a danger that the social sub-systems which exist in any democratic country will become in-grown and selfish, seeking their own particularistic goals without considering the needs of the polity as a whole. Some Americans who argue that school choice policies should be regulated rather than unregulated express similar concerns. They believe that children should grow up interacting with people from a variety of backgrounds so that as adults they will appreciate diversity and understand the

pluralistic nature of American society. Thus, they propose such regulations as the maintenance of racial, ethnic, and gender balance in schools of choice.

On the whole, however, American proponents of regulated choice policies have been more concerned about equality than about civic consciousness. Thus, it was surprising to find that in France civic consciousness, usually called "solidarity," has been a more important issue than equality. In part this fact can be explained historically. One of the major cleavages in French society divides practicing Catholics from non-practicing Catholics, non-Catholics, and unbelievers. As a result, the status of Catholic private education has been an issue since the late eighteenth century. A resurgence of the issue after World War II destabilized the government. This problem was uppermost in the minds of the members of Parliament when the debated the bill which became the Debré Act. Representatives of all political factions advocated a policy which would strengthen the nation by promoting solidarity. The major differences between them related to the best policy mechanisms for achieving that goal, not to the goal itself. As Prime Minister Debré put it in the opening speech of the 1959 debate:

> What we must wish for--what we have worked toward with considerable agreement and with a clear vision of the general interest--is an effort at convergence, which is a necessary element in the policy which we wish to put in place with this law. (JOD, 1959, p. 3598)

This desire to increase civic consciousness, or solidarity, determined the structure of the policy in several ways. First of

all, it caused the French to select sub-contracting rather than vouchers as their major policy mechanism. Several members of Parliament argued for vouchers in 1959, and indeed a small-scale voucher plan had been in effect since the early 1950s (Coutrot, 1963; JOD, 1959). Yet ultimately vouchers were rejected. Most of the representatives feared that vouchers would provoke fierce competition between the two school systems, further jeopardizing solidarity. Direct subsidies to private schools without regulation were rejected for the same reason (JOD, 1959; Robert, 1962).

Many of the regulations imposed on private schools also seemed designed, at least in part, to discourage competition while encouraging the "convergence" of the two systems. For example, the funding levels of the two sectors were carefully linked. The major type of aid offered was the payment of teachers' salaries; the salaries of private school teachers were tied to the pay scales on which public school teachers were compensated. Nor could private schools allow teachers under government contracts to work longer or shorter hours than their public school counterparts. Local governments could aid private schools, but under no circumstances could they give more funds to private schools than to public ones (JOL, 1960).

Other regulations served the dual purpose of improving the quality of private education while making public and private school teachers more similar. The Debré Act and the decrees which implemented it included incentives to private school teachers and administrators to upgrade their credentials. More-

over, under both kinds of contracts private school curriculum was regulated and private school teachers were evaluated by inspectors from the Ministry of National Education (JOL, 1960). Over time, the result was that professionals in both sectors came to have more and more in common.

The policy also encouraged considerable interaction between the employees of the two sectors. For example, public school administrators had to handle contract applications, inspect buildings, and observe teachers for private schools. In addition, during the implementation process disputes about the law were settled by committees significantly called "Committees of Conciliation." Teachers from both private and public education served on these committees, thus expanding collaboration beyond administrators to the teaching force itself (JOL, 1960).

Those portions of the policy designed to build civic consciousness and encourage the "convergence" of the two educational sectors were successful. Between 1959 and the 1980s, public opinion changed greatly. In 1945 only 28% of the French population had favored subsidizing private education (Coutrot, 1963). By the mid-1970s, however, public opinion polls revealed that well over 70% of French citizens approved of school choice, or "educational freedom." Moreover, both the literature and the interviews suggested that relationships between educators in the two sectors had improved. For example, one man--a national leader of a public school lobbying group which had bitterly opposed the passage of the Debré Act in 1959--said in his 1989

interview:

> Today the two groups of teachers are becoming more and more alike. Private education has become more secularized, and rather good relationships exist between us these days. On both sides there are still a few "fundamentalists"--people who support the old positions, who don't want anything to do with each other. . . .But the competition between the two groups is becoming less and less important.

Issues relating to the distortion of the public agenda

Dahl (1982) argues that one of the disadvantages of permitting a social group to become extremely strong is that it will begin to exercise undue influence over the public policy agenda, directing government attention toward those issues which concern it and away from those issues which it prefers to ignore. Dahl (1982) admits that it is hard to detect the existence of a distorted agenda because it "presupposes a hypothetical alternative. . . .[which depends] on a counterfactual description" (p. 45). Yet he believes that occasionally it is possible to identify distorted public agendas. The evidence from the French experience with controlled school choice suggests that the alliance of private school supporters and conservative politicians which was powerful from 1959 to 1981 did indeed distort the public agenda.

Public policy agendas are partially determined by government indicators. For example, Kingdon (1984) states that indicators are a major way that policymakers discover the existence of a problem which belongs on the public agenda. He elaborates:

> Indicators abound in the political world because both governmental and nongovernmental agencies routinely monitor various activities and events: highway deaths,

> disease rates, immunization rates, consumer prices, commuter and intercity ridership, costs of entitlement programs, infant mortality rates, and many others (p. 95).

It would seem, then, that the failure of a government to monitor an important activity might suggest its desire to keep an issue off the public agenda.

The French evidence suggests that such a failure did occur. It is impossible to discover precisely how much the private school aid program cost. One searches in vain for statistics on per pupil expenditure, funding trends, overhead costs, transportation expenses, etc. Such figures do not appear in newspaper reports, parliamentary speeches, or scholarly articles. Nor are they to be found in the annual yearbook published by the National Institute for Statistics and Economic Studies.

However, one does find evidence that the government did not collect such data. For example, in the 1970s Senator Cogniot frequently raised questions about program costs. In 1973 he directly asked the Minister of Education why such statistics were not reported in government documents and accused him of not even knowing how much the policy cost. He received an evasive answer (Crédits de subvention à l'enseignement privé, 1973). Eleven years later, in a 1984 speech to Parliament, another Minister of Education explicitly stated that he could not say exactly how much public money was spent on private schools (JOD, 1984).

It seems clear that the French government failed to gather information which would have revealed the cost of its controlled school choice plan. It is also likely that this failure distort-

ed the public agenda by making it difficult for opponents of the policy to address the financial issue effectively.

Issues relating to the alienation of final control. Dahl (1982) argues that a major problem in democratic pluralism is the state's tendency to alienate public decisions to subsystems within its territory. He cites the power of British labor unions as one example. Lindblom (1977) cites the "privileged" position of American corporations as another. Current American school choice proposals also risk the alienation of final control. For example, inter-district choice plans raise questions about transferring government funds from one taxing jurisdiction to another (Odden, 1990). When the French passed the Debré Act in 1959, they had a few concerns about the alienation of final control over education. As implementation progressed and political pressures changed the policy, additional issues relating to the alienation of final control became apparent.

Under French law education is the responsibility of the national government. Thus, in 1959 French leaders knew that subsidizing private schools might weaken public ones, making it difficult to fulfill the state's educational obligations. They were determined to prevent such a development. As Prime Minister Debré stated in the 1959 debate: "The preeminent position of public education is not up for discussion and cannot be up for discussion" (JOD, 1959, p. 3637). French leaders protected this "preeminence" by designing a policy which discouraged the expansion of the subsidized private sector.

The Debré Act limited the growth of private education by restricting both supply and demand. For example, no school could apply for a contract unless it had been in operation for at least five years. One condition for the approval of a government contract was the possession of "appropriate" facilities. Therefore, any group that wanted to start a new school not only had to pay personnel for five years but also had to construct a suitable building before it could qualify for assistance (JOL, 1960, pp. 3827-3831). Since capital outlay was not subsidized, establishing a private school was expensive. In addition, schools which applied for subsidies had to demonstrate to public school authorities that their school would meet "a recognized educational need" (JOL, 1960, p. 3930). These policy mechanisms restricted the growth of the supply of private education. The policy also restricted the growth of demand by permitting private schools to charge fees--and by guaranteeing that their financial survival would depend upon those fees. Several interviewees identified the fees as the policy mechanism which kept demand low.

Because of these provisions, the policy has succeeded in maintaining an equilibrium between private and public school enrollments for thirty years. In 1960, 17% of French children attended private schools. After a slight increase in the early 1960s, the percentage dropped back to 17% and stabilized at the 16-17% mark (INSEE, 1960-1985). The policy thus protected public education as the "preeminent" enroller of French school children.

The policy was less successful in preventing the alienation

of control over school finance. This failure seems to have resulted from an inability to conceptualize potential financial problems in 1959. The Debré Act and the decrees which implemented it included some obvious financial accountability measures such as the right of the government to inspect the accounts of private schools (JOL, 1960). However, the law also included several loopholes which became increasingly obvious as time passed. Moreover, in the late 1960s a group of neo-conservatives--strongly influenced by American neo-conservatism--gained power in the government (Giscard d'Estaing, 1971). They succumbed to pressures from the private school lobbying groups which had organized during the 1960s and progressively loosened the financial restrictions in the original policy (Cornec & Boucharеissas, 1981). Their reforms exacerbated the problems.

One major financial problem resulted from the fact that the government had to develop the education budget before it received contract requests from private schools. This made it hard to predict how many contracts would be signed and how many teachers would have to be paid. As early as 1970, the Finance Ministry was complaining about its difficulties with budgeting and planning (Le Comité national d'action laïque accuse M. Pompidou de "rallumer la guerre scolaire" [Comité], 1970). Another problem was that private schools under contracts of association were allowed to recruit as many teachers as they wanted. Then they presented bills for their salaries to the government (Labé, 1985). Furthermore, a neo-conservative reform in the late 1970s

obligated the government to pay for the pre-service training of private school teachers. This reform gave the government no control over how many new teachers were trained. Yet, it had to pay for all of them (JOL, 1977). Opponents of the policy derided the government, saying that it had "opened up the tellers' windows and is giving money away" (Comité, 1970, p. 11).

A related problem involved the alienation of financial control from local governments. Under the Debré Act city and township governments were required to provide financial support to private schools under contracts of association. Yet they were not parties to the contracts and had no say over whether or not they were signed (Douence, 1985). With the passage of years, this policy provision led to increasing conflict. Local governments resented having to contribute tax money to private schools whose establishment they had not approved. They especially resented having to contribute tax money to support students who resided in other taxing jurisdictions. They considered this practice taxation without representation. Alleging violations of the constitution, many local governments sued the national government. In reaction, private school parents filed numerous countersuits (Frappat, 1977; Grasset, 1983). It is not surprising, then, that when Mitterrand was elected president in 1981, he and his political allies sought to regain control of school finance (Savary, 1985).

DISCUSSION OF IMPLICATIONS FOR AMERICAN POLICY

The French experience with controlled school choice provides

much food for thought. The most obvious implication of the French experience is that controlled school choice plans can work. The Debré Act accomplished most of the goals which its framers delineated in 1959. First, it put an end to the political conflict which had torn France apart throughout much of its modern history. By subsidizing private schools and bringing them under government regulation, it saved them financially and reduced the threat which they posed to public education. Because the policy provided a measure of choice to parents, it gained widespread public support. Because it required public and private educators to work together, it diminished the conflict between them. It thus increased civic consciousness in the French population. Second, it accomplished this goal without increasing social inequalities. The requirement that private schools admit students of all backgrounds coupled with the modest cost of private education minimized the development of inequality. The vicious creaming and sorting effect which Americans fear did not occur. Finally, the policy successfully protected the integrity of the public school system. It subjected private schools to regulations similar to those of the public sector; it also limited the growth of private education. Thus, public education did not lose status or enrollment because of the policy; it remained "preeminent."

To a great extent this success was probably due to the political skills of those who framed the original policy. They were able clearly to conceptualize both their policy goals and

most of the potential problems posed by any school choice plan. They were also able to structure their policy in order to accomplish those goals and to minimize the risks which they foresaw. Perhaps most important of all, they were able to obtain passage of the policy by a legislative body. Dahl (1982) argues that it is easier to develop balanced public policies in parliamentary systems than within the American constitutional framework. Nonetheless, it should be possible for Americans to develop balanced, well thought out school choice plans.

However, the French program was developed and implemented in a policy environment which differs from the United States in at least one significant way. In France public education is considered academically more rigorous than private; the most prestigious schools are in the public sector. In the United States the reverse is true. It is unclear to what extent the French policy succeeded because of this fact. However, some American scholars have suggested that the success of school choice plans depends on making <u>all</u> of the choices attractive (Clinchy, 1989; Rossell & Glenn, 1988; Uchitelle, 1989). Neo-pluralism provides theoretical grounds for this position. When all schools offer similar political resources to their students, choosing among them ceases to be a search for advantage and is reduced to a matter of taste. In such a situation the inherent dangers of school choice plans in an unequal society are significantly reduced. Paradoxically, the way to develop an effective school choice plan may be to so improve <u>all</u> schools that choice ceases to be a major issue.

The French experience also suggests that it is difficult to foresee some of the issues which choice plans raise. As they developed their policy in 1959, French leaders were concerned about solidarity and equality issues. They also understood that they risked the alienation of final control over education to the Church. They did not foresee the more abstract problems of financial control and conflict over governmental jurisdictions. Nor did they anticipate any distortions of the public agenda. Similarly, most Americans today are aware of some potential problems, such as those relating to equality and solidarity. Just a few discuss the possibility of governance and financial problems (Clinchy, 1989; McDonnell, 1989; Odden, 1990; Uchitelle, 1989). And no one seems to have raised the possibility that choice plans might distort the public agenda.

Yet it seems apparent that all of the choice plans currently under consideration in the United States carry some risks of both the alienation of final control and distortion of the public agenda. Chubb and Moe (1990), for example, frankly advocate alienating control over education, saying: "Public authority must be put to use in creating a system that is almost entirely beyond the reach of public authority" (p. 218). Their loosely regulated voucher plan would give parents considerable control over both finance and curriculum. The less radical controlled choice proposals also pose problems, however. In a country with 15,000 or more school districts and great funding inequalities, who will decide how much money will go with students who cross

district lines? How will parents whose children attend schools in other districts express their educational concerns through the political process? In which school district elections will they vote? Or will they vote in school elections at all? What if the influx of students from other districts leads to a need for new construction? Who will have the right to vote in the bond issues? What will be the attitude of taxpayers toward investing in facilities for children from other districts? Will the courts uphold the constitutionality of school choice plans? School choice plans of all types imply major changes in the way that American schools are financed and governed. Such changes could be made; the problems which they pose are not insurmountable. These issues should, however, be addressed during the initial stages of policy development and not as afterthoughts during implementation or following years of litigation.

Americans who value sound educational and financial policies should also reflect seriously upon the fact that the French government did not gather complete data about the cost of its school choice plan. Interestingly, the French situation is not unique. In her study of the Netherlands, James (1983?)--an economist--could not determine exactly how much the school choice program cost the Dutch government. She estimated that it cost more than an attendance zone system of student assignment would have. Here in the United States, Minnesota observers have complained that the government of that state is not gathering the data necessary to evaluate its choice plans (Pearson, 1989). One

can only speculate about the reason for these failures to collect important information. However, Clinchy (1989) and Uchitelle (1989) probably provide an important clue when they argue that school choice plans are inherently expensive. Americans should therefore learn from the French experience and build data-gathering and cost monitoring procedures into every law which establishes a school choice policy.

A large number of American states have already adopted choice plans. It seems likely that others will follow. As Americans move into this unfamiliar policy area, they can learn much from the experiences of other Western nations. The French experience suggests that controlled school choice plans can work. It also suggests, however, that the development of equitable and effective choice policies demands considerable thought and political skill.

ENDNOTES

[1]A notable exception is James's research on private education in the Netherlands. See James (1984), Benefits and costs of privatized services: Lessons from the Dutch educational system, Comparative Education Review, 28, 605-624.

[2]They also contrast their theory to the Marxist position. That theory has been omitted from this discussion because it is rarely articulated in the mainstream policy debate, so would be as unfamiliar to most readers as the neo-pluralist position. For contrasting Marxist positions on school choice, see R. B. Everhart (Ed.), (1982), The Public School Monopoly, San Francisco: Pacific Institute for Public Policy Research.

[3]Of course, citizens of a democratic state could also work for the reform of existing economic and political institutions. Dahl and Lindblom do in fact believe that such reforms would be desirable. However, Dahl argues that until such reforms have been made, the best that a democratic government can do is regulate (Dahl, 1982).

[4]This view is clear in the language used to describe these schools. The French adjective "privé" (private) is avoided; the word "libre" (independent) is used instead.

[5]All quotations from French language sources have been translated by the author.

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